

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

IN RE PORK ANTITRUST
LITIGATION

Case No. 0:18-cv-1776 (JRT/JFD)

This Document Relates To:
All Actions

**[PROPOSED] ORDER ON STIPULATION REGARDING COMPLETION
OF CERTAIN DISCOVERY AFTER THE FACT DISCOVERY DEADLINE**

Direct Purchaser Plaintiffs; Commercial Indirect Purchaser Plaintiffs; Consumer Indirect Purchaser Plaintiffs; and Direct Action Plaintiffs (collectively “Plaintiffs”), and Defendants Agri Stats, Inc. (“Agri Stats”); Clemens Food Group, LLC, Clemens Family Corporation (“Clemens”); Hormel Foods Corporation, Hormel Foods, LLC (“Hormel”); JBS USA Food Company (“JBS”); Seaboard Foods, LLC (“Seaboard”); Smithfield Foods, Inc. (“Smithfield”); Triumph Foods, LLC (“Triumph”); Tyson Foods, Inc., Tyson Prepared Foods, Inc., Tyson Fresh Meats, Inc. (“Tyson”) (collectively “the Stipulating Defendants”) submitted a Stipulation Regarding Completion of Certain Discovery After the Fact Discovery Deadline (ECF No. 1576) (“Motion”). **IT IS HEREBY ORDERED:**

1. The Stipulating Parties’ Motion is **GRANTED**.
2. Plaintiffs may take the deposition of Clemens witness Mr. George Wean at a mutually agreeable date and time after the close of fact discovery.
3. Plaintiffs may take the deposition of Clemens witness Mr. Craig Edsill at a mutually agreeable date and time after the close of fact discovery.

4. Plaintiffs may take the noticed Rule 30(b)(6) deposition of Defendant Hormel after the close of fact discovery at a mutually agreeable date and time.
5. Plaintiffs may take the deposition of JBS witness Mr. Ryan Andersland after the close of fact discovery at a mutually agreeable date and time.
6. Plaintiffs may take the deposition of Seaboard witness Mr. Duke Sand after the close of fact discovery at a mutually agreeable date and time.
7. Plaintiffs may take the noticed Rule 30(b)(6) deposition of Defendant Smithfield after the close of fact discovery at a mutually agreeable date and time.
8. Plaintiffs may take the deposition of Tyson witness Roel Andriessen after the close of fact discovery at a mutually agreeable date and time.
9. Plaintiffs may take the deposition of Tyson witness Jay Krehbiel after the close of fact discovery on November 16, 2022, or at a mutually agreeable date and time.
10. Plaintiffs may take the noticed Rule 30(b)(6) deposition of Defendant Tyson after the close of fact discovery on November 16-17, 2022, or at a mutually agreeable date and time.
11. By November 30, 2022, the Parties will identify any interrogatory or request for admission to which they intend to stand on their objections to object in whole, without providing any substantive response.

12. By January 18, 2023, the Parties will provide substantive responses to any written discovery covered in paragraph 7, subparagraphs i, ii, iii, and iv, of the Motion, unless a discovery request was identified pursuant to subparagraph v of that paragraph.
13. The deposition of Indiana Packers Corporation, to be taken pursuant to deposition subpoenas served by Plaintiffs and Defendants on September 16, 2022, may be taken at a mutually agreeable date and time on or before November 30, 2022.
14. Previously noticed depositions of certain DAPs listed by Defendants in the Joint Statement (at 3-4) may occur after the fact discovery deadline on agreed-upon or mutually agreeable dates and times. Specifically, 30(b)(1) and 30(b)(6) depositions of the following DAPs may occur after the fact discovery deadline on agreed upon or mutually agreeable dates and times: Target, Compass Group, Aramark, QSCC, Gordon Foods, Conagra Brands, Aldi, UniPro, Kraft, and U.S. Foods; Rule 30(b)(6) depositions of the following DAPs may occur after the fact discovery deadline on agreed upon or mutually agreeable dates and times: Wakefern, Hy-Vee, Albertson's, Howard B Samuels as Trustee for Central Grocers and Strack & Van Til, Winn-Dixie & Bi-Lo Holdings, BJ's, Giant Eagle, Cheney Brothers, Meijer, UNFI (including Supervalu, Associated Grocers of Florida, Unified Grocers, and Tony's Fine Foods), Nestle Purina PetCare Company, Nestle USA, Inc., and the Commonwealth of Puerto Rico; Rule 30(b)(1) depositions of the

following DAPs may occur after the fact discovery deadline on agreed upon or mutually agreeable dates and times: Wakefern, Savemart, and Publix; and depositions of the following DAPs may occur after the fact discovery deadline pursuant to agreement between counsel: Raley's and Dollar General.

SO ORDERED.

Dated: _____, 2022

Hon. John F. Docherty
United States Magistrate Judge